

MINUTES
GROTON ZONING COMMISSION
JUNE 7, 2006 - 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Brandt, Haviland, Hudecek, Marquardt, Shirvell, Sergeant, French
Staff: Cullen, Murphy, Stanowicz

Chairman Hudecek opened the meeting at 7:03 p.m.

Chairman Hudecek seated French for O'Neill.

II. PUBLIC HEARING

1. Special Permit #289, 18-22 West Main Street, 36 West Main Street, 2 Gravel Street and 3 Gravel Street (Historic Mystic, LLC, applicant) (CAM)

Rod Desmaris, a principal of Historic Mystic LLC, the applicant, presented the application for the proposed Central Hall in downtown Mystic. The Historic District Commission issued a Certificate of Appropriateness for this building in December 2005. Mr. Desmaris gave a history of the Allyn-Bohlander building and fires that destroyed the previous buildings. The proposed new building will be four stories and include 16 residential units, six retail stores, clapboard siding, providing public access to the waterfront. There will be a 132 ft. by 10 ft. wide walkway at the back of the property along the waterfront and a 10 ft. walkway between the side of the building and the back of the building. New flood protection regulations mandate new and expensive requirements. The sewer line currently runs through the pilings underneath the deck of the building. While the construction is going on the line will be improved before it is covered over with the new building. The applicants are trying to provide 16 parking spaces on the north side of Main St. for the 16 residences planned. The Grover Insurance building and the Tift Building will provide some of the necessary parking spaces. The parking lot at the pump station has a 9 space parking lot currently open to the public. The applicants propose to have 10 spaces in the same footprint, with one or two handicapped spaces. ADA mandates that two of the residential units must be handicapped accessible. If both of the units are rented to handicapped individuals then two of the parking spaces provided at the pump station would need to be handicapped spaces. The Town Council has made a preliminary comment that they would entertain an agreement to lease the facility to Historic Mystic, LLC.

Randy Brooks, owner of the Grover Insurance building, would grant an easement for a pedestrian walkway to the Tift Building. There would be improvements to the walkway, including lights and landscaping. The Tift Building parking lot has 17 allocated spaces for 4 apartments and 4 stores, that need 14 spaces, allowing the applicant to acquire three of the spaces, and an old carriage house behind the Tift Building will be demolished and provide 3 additional spaces. Those spaces along with the ten spaces leased from the Town-owned pump station will provide them with 16 spaces. Those parking spaces at the pump station will be for the exclusive use of the residents of the Central Hall Building.

Clint Brown, Engineer, DiCesare-Bentley Engineers, discussed the background of the four properties involved. Mr. Brown identified each of the parcels on a Town map. The first parcel shown, 18-22 West Main Street, will be the site of the new Central Hall Building. A small section about 15 or 20 ft. wide connects to Gravel Street. The previous building was built on pilings over the water. The pump station property – 2 Gravel Street, with frontage on Gravel Street and the Mystic River, is paved to the north and used as a public parking lot, but was not intended to be a parking area. 36 West Main Street, the Tift Building site, with

frontage on West Main Street, is a two story building with mixed uses. The parking area in the back of the building has 17 spaces, and a secondary building, the carriage house, and has an access drive to Pearl Street. 3 Gravel Street, the Grover Insurance Building, has paved parking, large office space and a small secondary building. The pump station would have ten spaces, and the Tift Building would have a pedestrian easement across the Brooks parcel.

Mr. Brown explained the details of the site plan proposed. Central Hall will be a new building with a base footprint about 1,000 square feet smaller than the historic footprint to allow public access to the site. A walkway to the Gravel Street pump station lot will be part of the streetscape project. There will be some type of entry control for the parking at the pump station. Central Hall will have six retail spaces on the first floor with access from the walkway and West Main Street. The Tift Building will remain the same. The carriage house will be removed and the parking lot will be reconfigured for a total of 20 spaces on the site. 14 spaces are required for the Tift Building, leaving a surplus of six spaces. An existing fire access area will remain at the Tift building. All proposed offsite parking will be less than 250 feet from Central Hall. Regulations state the parking must be no more than 500 feet away.

Mr. Brown stated that the consistency with WDD (Waterfront Development District) historical management objectives, mixed uses, coastal public access with the walkway, and the architecture represents the integrity of the area. He said the Tift and Brooks properties' parking lots need reorganization and the carriage house is a public safety concern as it is in poor condition. There will be no parking facilities on the primary site. As for traffic generation, the pump station has been typically used for 9 parking spaces with moderate to high turnover. With the exclusive residential use, the turnover will be low. The driveway will be widened. The sole means of access to the Tift Building parking lot is from Pearl Street, and its use will be for residents with low turnover and no increase in traffic. Gated access will be put in that parking lot.

Mr. Brown said the new footprint will be over the river, but the existing pilings will be replaced. There are no unique natural features in that area of the Mystic River. Utilities and the sewer line will be replaced. The pump station site has no natural features that will be disturbed. The Tift property has been a parking area for many years. There are no natural or environmental features,

Mr. Brown said a coastal site plan evaluation was submitted. The Mystic River and the flood zone were addressed. The site has river frontage, but there is little or no water at low tide, so there is no opportunity for a marina or another water-dependent use on this site. Public access is the best use for the site. The State Department of Environmental Protection Office of Long Island Sound Protection has submitted comments. The applicant has renewed the DEP Certificate of Permission to replace the pilings. The Waterfront Design District has specific design standards associated with it. Many need to be waived by the Planning Commission to accommodate this or any building on the site. Modifications to the site development standards will need to be approved by the Planning Commission.

Mr. Desmaris addressed the size of the proposed building compared to the past buildings on that site. Previous buildings were at least 50 ft tall. The proposed building is 45 ft. tall, the building across the street is 54 ft. tall. The facades were shown. Hudecek and Sergeant said they are concerned with the height of the building. Hudecek asked if the pedestrian easement will be paved. Mr. Brown said the access will be paved, lighted and marked. The driveway to 3 Gravel Street will not be altered. The easement starts at the Tift Building, across the Grover Insurance property, and continues to Gravel Street. The parking spaces are for the residents of Central Hall only, not for the retail space. Parking for the retail stores already exists in Mystic. Brandt asked how homeowners would access the building. Residential entries were pointed out on the plan. Sergeant asked if the gated access would be

in harmony with the area. Mr. Desmaris said the Mystic Arts Center is gated. The Gravel Street parking area will be changing from a public parking area to a gated private area, designated for the residents only. The parking needs to be exclusive for the residents.

Staff reviewed the proposed improvements to the parking areas behind the Tift Building which are currently underutilized. Staff noted that the parking lot behind the pump station may only accommodate 9 cars after the final design. Staff said the WDD standard for building height is a maximum of 40 ft., but the Planning Commission can make an exception. Height was the focus of the Historic District Commission, as well as the materials used for the facade. The Zoning Commission's responsibility is to the size and intensity of the proposal as opposed to the height of the building.

The night uses as opposed to the day uses for the parking areas were discussed. Staff explained that one of the applicant's mailings was accidentally omitted. The regulations require proper notice ten days prior to the public hearing. This letter is produced by the Planning Department and is provided to the applicant. The applicants will produce the proper required documentation at the next meeting.

Staff addressed the past applications. Three variances from 2000 were discussed. The variances run with the property. The variances addressed flood-proofing, reconstruction of a non-conforming structure over fifty percent destroyed, and enlargement of a non-conforming structure. The intensity of the use will increase, so the previous special permits approved cannot be used. This project should provide broader public benefits due to the size of the project.

The following correspondence was read into the record:

Letter received from DEP OLISP, requesting a continuation of the permit so that they may further review the plan.

Planning Commission referral comments.

Copy of two-year lease with Mystic Art Association for 18 exclusive parking spaces.

Discussion ensued on the Mystic Art Center and their lease agreements for non-exclusive spaces.

The applicant's proposal for flood-proofing was reviewed. They would leave the first floor commercial, and the upper levels will be residential. The building itself will be over public trust (water). Chairman Hudecek requested the Town Council minutes to support the lease to the Central Hall. Staff said details of the lease have not been finalized with the Town Council and the Town Manager. Haviland asked for clarification of the height of the building. Applicant says 45 ft., but the roof units make it 47 ft. Discussion continued on the Planning Commission's 5/8ths rule for parking.

Chairman Hudecek asked if anyone who would like to speak favor of the application.

Christine Cooney Breeding, 62 Patricia Ave., North Stonington, owner of Puritan & Genesta Natural Foods, 2 Holmes Street, spoke in favor of the application. Ms. Breeding said allowing the pump station parking to become private, but gaining public access to the river would be a positive improvement for the downtown area.

Allen Barry, 74 Crown Knoll Court stated that he was in favor of the application.

The Chairman asked for comments from the public opposed to the application, and there were none.

Staff said they will schedule site walks for 1 or 2 Commission members at a time.

MOTION: To continue the public hearing to the July 5, 2006 meeting.

Motion made by Haviland, seconded by Brandt, so voted unanimously.

III. APPROVAL OF THE MINUTES OF February 1, 2006

MOTION: To approve the minutes of February 1, 2006 as written.

Motion made by Haviland, seconded by Shirvell, so voted unanimously.

IV. PUBLIC COMMUNICATIONS

Staff received a referral from the State Traffic Commission for the proposed Woodlands apartments. The site plan was approved by the Planning Commission. The access to the site will be on Meridian St. Extension.

The Planning Department received an intent for the State DEP to waive a public hearing for Great Brook & Poquonnock River. Groton Utilities will be installing a new water main to the Town of Ledyard.

Staff explained Barbara Goodrich's departure to the City. We are no longer providing services to the City.

V. NEW BUSINESS

1. Clarification of Special Permit #276, Poquonnock Road (Groton Shoppers Mart) regarding approval of a 10% reduction in total required parking under Section 6.2-9A

Staff explained the request. The original Special Permit was granted for a reduction of parking spaces for the Big Y project. There are two new applications coming in for new stores in the shopping center. The zoning regulations allow for a ten percent reduction in parking requirements in the DDD (Downtown Design District) if the applicant's design and location in this area results in an improved pedestrian environment with more effective pedestrian connections as well as sufficient increase in pedestrian, bicycle and mass transit trips. The applicant wants to know if the ten percent reduction will be valid with the increased requirements of the expansion, without another Special Permit. Parking spaces will be added with the new buildings, but the applicant still wants the 10% reduction for the center. The downtown flexibility standards were read from the Zoning Regulations to the Commission members. The Commission agreed to stay with the ten percent reduction with no new Special Permit required

MOTION: The Zoning Commission will not request an additional Special Permit. The Commission finds that their original Permit #276 granted on September 11, 2003 applies to

the entire Groton Shopper's Mart site. This finding is based upon the continuation of pedestrian amenities such as crosswalks and sidewalks and further benefits of newly formed internal pedestrian connections, and no change to vehicular or traffic patterns within the site.

Motion made by Haviland, seconded by Brandt, so voted unanimously.

2. New Applications

Special Permit #290, 516-528 Gold Star Highway (Gold Star Investment Group, LLC, applicant)

Staff explained the permit for relocating a non-permitted use within the WRPD from the gas station next to the former Rosie's Diner, to the gas station/convenience store on Gold Star Highway and Tollgate Road.

A public hearing date was set for July 5, 2006.

Special Permit #291, 425 Gold Star Highway, Girard Nissan Collision Care Center (Girard Motors, applicant) The application is for an expansion of a non-permitted use in the WRPD. The applicants propose to build a 16,000 s.f. collision care facility.

A public hearing date was set for July 5, 2006.

VI. PUBLIC COMMUNICATIONS - None

VII. REPORT OF CHAIRMAN - None

VIII. REPORT OF STAFF

Staff said the Regional Plan of Conservation and Development is being prepared. There will be a public meeting Thursday, June 15, 2006, at the Town Hall Annex.

IX. ADJOURNMENT

Motion to adjourn at 9:43 p.m. made by Brandt, seconded by Sergeant, so voted unanimously.

Respectfully submitted,

Richard Haviland